

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	8:07CR437
)	
CHARLES W. OAKLEY, JR.,)	ORDER
)	
Defendants.)	
)	

This matter is before the court on the parties' Motion for a Rule 17.1 Conference [34] and the defendant's motion to continue trial [40]. Following a telephone conference with counsel on August 19, 2008,

IT IS ORDERED:

1. The Motion for a Rule 17.1 Conference [34] is denied as moot.
2. The Motion to Continue Trial [40] is granted.

3. The above-entitled case is scheduled for a jury trial before the Honorable Laurie Smith Camp, District Court Judge, to begin **Tuesday, October 14, 2008 at 9:00 a.m.** in Courtroom No. 2, Third Floor, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska; because this is a criminal case, defendant(s) must be present in person. Counsel will receive more specific information regarding the order of trial from Judge Smith Camp's staff.

4. In accordance with [18 U.S.C. § 3161](#)(h)(8)(A), the court finds that the ends of justice will be served by granting defendant's Motion to Continue Trial and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **August 19, 2008 and October 14, 2008**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act because counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

DATED August 19, 2008.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge